



**UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration**

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

October 25, 2005

Kris Benson
Project Environmental Coordinator
Alaska Department of Transportation and Public Facilities
6860 Glacier Highway
Juneau, AK 99801

Dear Ms. Benson:

The National Marine Fisheries Service (NMFS) has reviewed the Draft Environmental Assessment (EA) for the Ketchikan Airport Runway Overlay and Safety Area (RSA) Upgrade. NMFS has jurisdiction for living marine resources under the Fish and Wildlife Coordination Act, Magnuson-Stevens Fishery Conservation and Management Act, Marine Mammal Protection Act and Endangered Species Act. Collectively, these laws require NMFS to provide comments and consultation on the environmental impacts of Federal actions on wetlands and streams that support anadromous fish, nearshore and marine resources and habitats that support commercial and recreational fish species, and marine mammals and federally listed threatened and endangered species.

Alternative II (Proposed Action)

The Alaska Department of Transportation and Public Facilities' (ADOT&PF) and the Federal Aviation Administration's (FAA) proposed action (Alternative II) is to extend the RSA 50 feet west and 1,550 feet east of the existing embankment. This alternative would fill approximately 1,190 feet of Government Creek and approximately 0.1 acre of the estuary at the mouth of Government Creek. Government Creek provides spawning and rearing habitat for coho, chum and pink salmon. Government Creek estuary provides important habitat for burrowing infauna, crustaceans, and fish that are prey to species of commercial importance.

All of the lower reach of Government Creek would be lost as habitat, and the decreased freshwater input to the Government Creek estuary would significantly reduce the estuarine habitat. As mitigation for these impacts, ADOT&PF is proposing to reroute Government Creek into a new 1,750 foot long stream channel connecting to Boulder Creek. The mouth of the newly created Government Creek would be excavated inland from the existing mouth of Boulder Creek to expand the area of estuarine marsh.

The lower reach of Government Creek "supports predominantly migration" (EA, page 66) with "only 4% of the total bankfull channel area in the lower 1,080 ft of the creek" being suitable for salmonid spawning (EA, page 52). As part of the initial consultation process for development of



alternatives to be considered in the EA, NMFS staff participated in a year-long interdisciplinary team (IDT). Early in this process, the resource agencies indicated that the goal for rerouting Government Creek should be to improve upon, rather than merely replace, the existing habitat functions of the creek (IDT Meeting Notes 2-10-05). This goal is reflected in the EA on page 66:

The new Government Creek channel would be optimized for fish habitat characteristics with increases in both the spawning and rearing habitat for anadromous fish beyond what is currently found in the lower reach of Government Creek.

Based on concerns raised by FAA regarding proposed mitigation at the Juneau Airport, NMFS questioned whether enhancing spawning and rearing habitat in a stream that skirts the edge of the RSA would be compatible with the mitigation criteria in FAA Advisory Circular (AC) 150/5200-33A "Hazardous Wildlife Attractants On or Near Airports." In an October 18, 2005 email from FAA responding to this question, Katrina Moss states:

The highest habitat priority for the rerouted channel is migration, then spawning and then rearing. Improving migration will move fish through the area off the runway end more quickly, reducing the potential for wildlife hazard attractant.

This statement, particularly the emphasis on moving fish more quickly through the channel, appears to be incompatible with the IDT's stated goal of improving spawning and rearing habitat. Furthermore, there is nothing to indicate that rerouted channel will improve upon the migration characteristics of the existing channel. The rerouted channel will have significantly less riparian vegetation than the existing channel, facilitating foraging by seabirds. When combined with increases in spawning and rearing, this has the potential to increase the attraction of this stream to wildlife that might be of concern from an airport operational standpoint.

Also during the IDT meetings, NMFS raised concerns regarding contingency planning and funding for corrective measures should they be required (IDT Meeting Notes 6-26-05). Prior mitigation projects for impacts from expansion activities at the Ketchikan Airport have failed as a result of unanticipated costs. One example of this is the required mitigation for construction of the west taxiway at the Ketchikan Airport. The U.S. Army Corps of Engineers permit for the project was issued in 2000 with a commitment from ADOT&PF to "fully fund" reconstruction of Schoenbar Creek Culvert. When the costs for this reconstruction exceeded the costs anticipated by ADOT&PF, the mitigation was not completed. Only recently has ADOT&PF negotiated a modification to the mitigation requirement of their permit, with the resulting mitigation bearing no resemblance to any mitigation option proposed by or discussed with the resource agencies during the project permitting process. NMFS is concerned that without appropriate success criteria, performance evaluation processes and contingency funding, the proposed mitigation also could end up failing.

The EA does not contain performance measures or financial guarantees to ensure the success of the proposed mitigation. ADOT&PF states that a monitoring plan would be developed to evaluate the created habitat, however there is no discussion of the evaluation criteria and how

ADOT&PF will address any failure of the proposed mitigation to function as anticipated. ADOT&PF has stated that FAA will not provide funding for corrective measures that may be needed after construction of the RSA and associated activities are complete. An alternative source for these funds has not been identified.

ADOT&PF has chosen to draft an EA rather than an Environmental Impact Statement (EIS) for this project. All of the alternatives, with the exception of the No Action Alternative, would have significant adverse impacts to anadromous and estuarine resources. To proceed with a mitigated Finding of No Significant Impact (FONSI), ADOT&PF must demonstrate that it has mitigated the impacts of the proposed action below the significance threshold (40 CFR 1508.13), and assure commitments to implement the proposed mitigation measures (FAA Order 1050.1E 405g(4)).

Based on the forgoing concerns, ADOT&PT has not clearly demonstrated that the preferred mitigation for the proposed action (reroute of Government Creek) would reduce the impacts of the project below the National Environmental Policy Act (NEPA) significance threshold as defined in 40 CFR 1508.27. The proposed alternative would permanently remove existing essential fish habitat (EFH) in Government Creek and its estuary, remove the natural connection between Government Creek and North Fork Stream, and impact Boulder Creek and its estuary and all the habitat in-between. The apparent confusion between ADOT&PF and FAA regarding the primary goal of the reroute and its significance from a wildlife hazard standpoint, and the lack of quantifiable metrics for evaluating the success of the preferred mitigation, call into question whether the mitigation in the proposed action would effectively reduce the adverse impacts of the RSA expansion.

Alternative III

Alternative III would shift the runway west to avoid impacts to Government Creek. This alternative would require filling 320 lineal feet of Airport Creek and 4.3 acres of the Airport Creek Estuary (approximately half the estuary). An additional 2.3 acres of fill also would be required in Tongass Narrows. A 370 ft long access road would be placed in the Airport Creek Estuary for maintenance of the approach light system. Airport Creek provides spawning and rearing habitat for pink and coho salmon. Airport Creek estuary provides important habitat for burrowing infauna, crustaceans, and fish that are prey to species of commercial importance. This alternative would permanently remove EFH in Airport Creek and its estuary.

The EA states that Alternative III would include mitigation for impacts, but the nature of this mitigation is not discussed. As a result, this alternatives contains no measures to reduce the impacts below the NEPA significance criteria as defined in 40 CFR 1508.27. NMFS requested in our scoping comments that ADOT&PF evaluate options for placement of the approach lights that did not require a road or fill in the Airport Creek Estuary. Although ADOT&PF indicated that it would evaluate "all practicable and feasible alternatives for constructing and maintaining the approach light system" (ADOT&PF response letter, 12-3-04) there is no indication in the EA that this was done. The EA also does not explain why a 2:1 slope is being recommended as

mitigation for the RSA embankment east of the existing runway, while a 3:1 slope is being recommended west of the existing runway (in Airport Creek).

Other Alternatives

Under the Section “Other Alternatives Considered But Not Carried Forward,” ADOT&PF includes a modification of Alternative II that proposes three options for spanning Government Creek with culverts. The reroute of Government Creek and the culverts are mitigation for the proposed action, which is to expand the RSA eastward. They are not part of the proposed action alternative itself. Thus, NMFS questions whether it is appropriate to exclude consideration of the culvert mitigation options under a section which describes alternatives that were not carried forward.

Culvert Option C would accommodate the existing natural Government Creek streambed in its current location. Because it would not alter streamflows, this culvert option would address concerns regarding channelization and waterflow that NMFS raised in our scoping comments. During the IDT process, NMFS provided several references to literature on fish passage through long, dark tunnels or culverts that indicate that fish passage may not be adversely affected by darkness alone. Thus, our initial concerns that light reduction may impede fish passage likely is not a significant issue.

In rejecting this alternative, ADOT&PF states that the culvert “would reduce the quality of rearing habitat” (EA page 26.) in the lower reach of Government Creek. However, most of the rearing observed in Government Creek occurred at the head of tidewater where “a steep section of ledges and boulders from (sic) deep pools that delineate the strictly freshwater portion of the stream from the intertidal portion and which hold coho fry during all tide stages observed” (EA page 52). Under the proposed reroute of Government Creek, these pools would be eliminated. Under Culvert Option C, these pools would remain and could provide habitat for fry “moving and feeding along the edge of the marsh vegetation and out in the nearby waters” during high tides (EA page 52). NMFS disagrees with the conclusion that this option would have a significant adverse impact on EFH.

Culvert Option C would reduce impacts to EFH over the proposed mitigation because it would not alter the stream channel in Government Creek or the flow of freshwater into the Government Creek estuary. This option would not affect Boulder Creek, its estuary or wetlands between Government and Boulder Creeks. Since the goal of Culvert Option C is to maintain the existing passage characteristics of Government Creek, this option would not result in additional concerns regarding interaction of wildlife and aircraft. Culvert Option C would mitigate the adverse effects of the proposed action below the NEPA significance threshold. This option has a higher likelihood success than the proposed rerouting of Government Creek, and thus should raise significantly fewer concerns regarding performance measures and corrective actions.

Conclusions

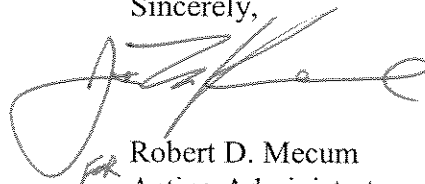
NMFS has evaluated the alternatives and mitigation options presented in the EA. Only Alternative II mitigation Option C (serpentine culvert) minimizes and avoids impacts to Government Creek, the Government Creek estuary, Boulder Creek, and wetland habitats between the two creeks. NMFS recommends that Alternative II mitigation Option C (serpentine culvert) be identified as the environmentally preferred alternative. For the reasons stated above, all other mitigation options do not sufficiently reduce the adverse effects of the proposed action. In accordance with the Fish and Wildlife Coordination Act and Magnuson-Stevens Fishery Conservation and Management Act, NMFS makes the following recommendation:

- ADOT&PF should adopt Culvert Option C as the mitigation for the proposed action.

Under section 305(b)(4) of the Magnuson-Stevens Fishery Conservation and Management Act, FAA is required to respond to NMFS EFH recommendations in writing within 30 days. If FAA will not make a decision within 30 days of receiving NMFS EFH Conservation Recommendations, FAA should provide NMFS with a letter within 30 days to that effect, and indicate when a full response will be provided.

Please contact Katharine Miller at (907)586-7643 if you have any questions or for further coordination.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Mecum', with a large, stylized flourish extending to the right.

Robert D. Mecum
Acting Administrator, Alaska Region

Cc: Mark Minnillo, AK DNR
Katrina Moss, FAA
USFWS